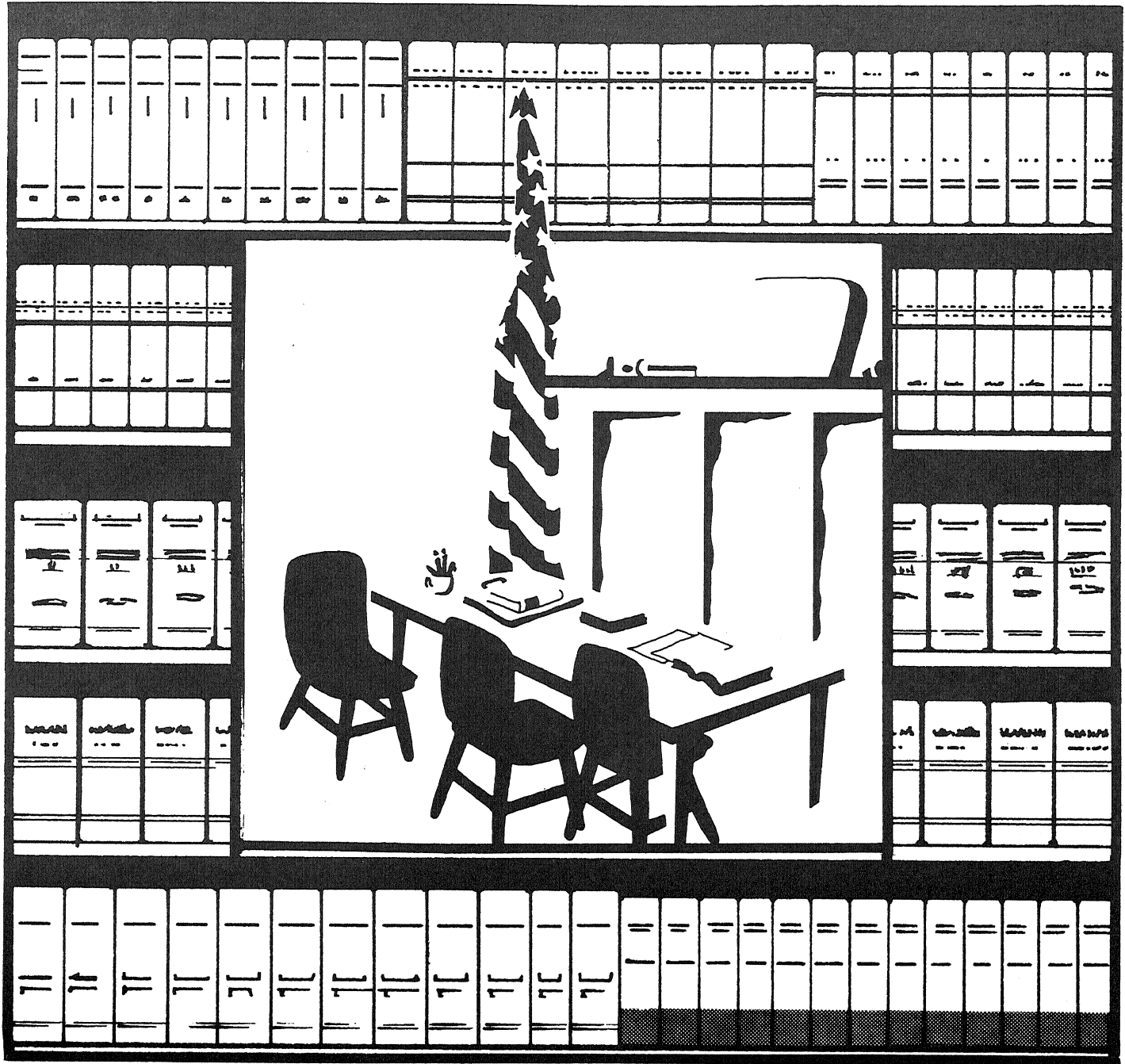


Administrative Law Judge



Opportunities in the Federal Government as an Administrative Law Judge

Positions in various Federal agencies in Washington, D. C., and throughout the United States

Positions are at grade levels GS-15 and GS-16



United States
Office of
Personnel
Management

Office of Administrative
Law Judges

Examination Announcement
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I. HOW TO APPLY

A. General Information

Individuals who wish to apply for positions as Administrative Law Judges with an agency of the United States Government should read this examination announcement with care before they start preparing their application. Applicants must clearly satisfy all the examination standards, in full accord with the procedural requirements set forth below. The United States Government is vitally interested in insuring that only the very best qualified applicants in this examination receive appointments as Administrative Law Judges.

B. Equal Employment Opportunity

Applicants will be considered without regard to race, religion, age, color, national origin, sex, handicap, political affiliations, or any other non-merit factor.

For general information about United States citizenship requirements, veteran preference, on-the-job benefits, and other general information, applicants should see the pamphlet entitled "Working for the U.S.A.," which may be obtained at most places where applications for Federal employment are available.

C. Examination Requirements and Rating Process

Federal Administrative Law Judges must be attorneys licensed to practice law. They are selected on the basis of merit, following a rigorous examination of qualifications. Each part of the examination evaluates applicants on the extent to which they possess knowledge, skills and abilities which a job analysis among incumbent Administrative Law Judges has shown to be critical for successful performance on the job.

In order to meet minimum qualification requirements, applicants demonstrate in their application that they have a full seven years of experience in preparing for, conducting, and presiding over hearings or trials involving Federal, state or local law.

Applicants must also demonstrate that they have either (1) completed a minimum of two years of difficulty and responsibility below the grade of the position, or (2) experience at a level of responsibility at least the level two grades below the grade of the position.

Applicants who meet these requirements will be ranked on the basis of their qualifications statement, oral trial procedures, analytical ability, temperament, and written examination. Applicants who receive a rating of "Satisfactory" or better will be eligible for consideration.

Of those applicants who are needed to meet the annual needs of the various geographic areas, the final rating process:

1. A written demonstration showing ability to prepare a written decision similar to that prepared by an Administrative Law Judge.
2. A panel interview showing ability to deal with people, to communicate orally, to make decisions, and to analyze and evaluate situations.
3. Personal reference inquiries verifying attainment of the knowledge, skills and abilities required of an Administrative Law Judge.

As many applicants with a basic rating as might be reached on any particular certificate of final eligible applicants (assuming such applicants might earn the maximum possible points, including veteran preference, in the latter parts of the examination) will be invited to participate in the final rating process. Generally, only a very few applicants will be invited to participate in the final rating process. For those applicants who are invited to participate in the final rating process, a final rating with a maximum possible score of 100, excluding veteran preference, will be assigned based on the basic rating and the results of the written demonstration, panel interview and reference inquiries. Applicants assigned a final eligible rating will be placed on the register, or list of eligibles, for referral to agencies for consideration for appointment to vacant positions.

D. What to File

Individuals who wish to apply for examination of their qualifications to become Administrative Law Judges must submit the material which is listed below and explained in more detail on the following pages:

1. Statement of license to practice law as an attorney for at least the past seven years.
2. Standard Form 171, "Application for Federal Employment."
3. List of ten (10) significant, formal administrative law and/or litigation cases.
4. Copy of one brief, memorandum or decision primarily written by the applicant in a significant case.
5. OPM Form 1170/72, "Supplemental Qualifications Statement for Administrative Law Judge Positions."
6. Standard Form 15, "Application for 10-Point Veteran Preference," if claiming 10-point veteran preference.

E. Where to Get Forms

The forms identified in Paragraph D, items 2, 5 and 6 above, may be obtained from the U.S. Office of Personnel Management's Area Offices in many large cities throughout the country, or from its Office of Administrative Law Judges, at the address shown in Paragraph F below. A format for listing cases appears on the inside of the back cover of this announcement.

F. When and Where to File

Applications under this examination are solicited periodically in open competition as announced by the Office of Administrative Law Judges. Completed applications should be sent to the U.S. Office of Personnel Management, Office of Administrative Law Judges, 1900 E Street, N.W., Washington, D.C. 20415.

II. Administrative Law Judges — What They Do

A. Background

The Administrative Law Judge function was created by the Administrative Procedure Act passed by the United States Congress in 1946. The Administrative Procedure Act sought to insure fairness and due process in administrative proceedings before Federal government agencies. It also provided for a merit selection system and statutory protection of Administrative Law Judges' independence and impartiality.

The Federal Government employs approximately 1,100 Administrative Law Judges in 29 Executive Departments and agencies listed on the back cover of this announcement. The positions are located in Washington, D.C., and throughout the United States and Puerto Rico.

B. Function: Hearing Formal Cases

The function of an Administrative Law Judge as an independent, impartial trier of fact in formal hearings is similar to that of a trial judge conducting civil trials without a jury. In general, Administrative Law Judges prepare for and preside at formal hearings required by statute, to be held under or in substantial accord with provisions of the Administrative Procedure Act, in Sections 553-559 of title 5, United States Code.

Formal hearings conducted by Administrative Law Judges involve cases where all interested parties are given advance notice of the hearing; an opportunity to submit facts, arguments, offers of settlement or proposals of adjustment; and an opportunity to be accompanied, represented, and advised by counsel or other qualified representative. Administrative Law Judges bear sole responsibility for ruling on preliminary motions, conducting pre-hearing conferences, controlling hearings (which may include written and/or oral testimony and cross-examination), reviewing briefs, and preparing and issuing initial or recommended decisions, along with written findings of law and fact and conclusions therefrom. Oral or unduly repetitious evidence is excluded. Decisions are issued upon consideration of the whole record, or those parts thereof cited by a party and supported by and in accord with reliable, probative, and substantial evidence.

Administrative Law Judges may hold frequent hearings of an hour or so, or infrequent hearings lasting several weeks or more, depending upon the agency in which they are employed. Hearings are held in various locations throughout the United States, and some travel may be required to reach these locations. The scope, formality, and complexity of proceedings before them varies from agency to agency, but generally Administrative Law Judges control the proceedings from the time a case is assigned until an initial or recommended decision is issued. If the decision of an Administrative Law Judge is neither appealed nor reviewed by the agency within a prescribed time limit, the decision generally becomes the final agency decision.

C. Types of Cases Heard

Decisions of Administrative Law Judges involve cases covering such technical subject areas as antitrust, admiralty, transportation, interstate and international trade, energy, communications, labor-management relations, food and drugs, health and safety, advertising, securities and commodities markets, Social Security, worker's compensation and other compensation claims, and environmental protection, among others.

Principal types of formal administrative law cases heard by Administrative Law Judges include the following:

- Cases involving the approval or prescription of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor, or valuations, costs, accounting, marketing or other practices.
- Cases involving prosecution or defense of alleged violations of public laws or regulations of public bodies respecting labor, agriculture, political activity, trade, or commerce, including money claims arising therefrom or declaratory proceedings.
- Cases involving the grant, revocation, or amendment of a public license (other than those involving common occupations), permit, certificate, approval, registration, charter, or membership.
- Cases involving the grant, denial, or recovery of money payments of other benefits.
- Cases involving environmental law including cleanoff, toxic substances, pesticides, or hazardous wastes.
- Cases involving personnel, labor relations, or equal employment opportunity in government service.

D. Duties

The typical duties of an Administrative Law Judge are to:

1. Administer oaths and affirmations.
 2. Issue subpoenas authorized by law.
 3. Rule upon offers of proof and receive relevant evidence.
 4. Take or cause the taking of depositions.
 5. Regulate the course of the hearing.
 6. Hold pre-hearing conferences for the settlement or simplification of issues.
 7. Rule upon procedural or similar requests.
 8. Question witnesses.
 9. Consider the facts in the record, the arguments and contentions made, and issues involved.
 10. Determine credibility and make findings of fact and conclusions of law.
 11. Recommend decisions or make initial decisions on the basis of reliable, probative, and substantial evidence on the record.
 12. Take actions authorized by agency rule and Federal statutes consistent with the provisions of the Administrative Procedure Act.
- Administrative Law Judges may also be required to perform additional duties consistent with their overall duties as Administrative Law Judges.

E. Appointment and Tenure

Individuals may become Administrative Law Judges only by appointment from the Administrative Law Judge register established as the result of a competitive examination. Administrative Law Judges receive a "career-absolute" appointment, and there is no probationary period to be served. Administrative Law Judge positions may be filled by appointment from the register, or by the reinstatement, reassignment, transfer, or promotion of a person who has formerly received an appointment as an Administrative Law Judge.

Generally, employing agencies may take involuntary personnel actions against Administrative Law Judges only for good cause established and determined by the Merit System Protection Board (MSPB) on the record after opportunity for hearing before the MSPB. This includes the following actions: (1) removal, (2) suspension, (3) reduction in grade, (4) reduction in pay, and (5) furlough of 30 days or less. The requirement of a hearing before the MSPB does not apply to reduction-in-force actions, or to suspension or removal actions in the interests of national security, under Section 7532 of title 5, United States Code. Agencies may effect such actions on their own authority under general procedures prescribed by law and regulation.

III. Experience Requirements

A. License to Practice Law

At the time of filing, and for a period of at least seven years prior thereto, applicants must have been duly licensed and authorized to practice law as attorneys under the laws of a state, or the District of Columbia, the Commonwealth of Puerto Rico, or any territorial court established under the Constitution.

B. Qualifying Experience: Administrative Law or Litigation Experience

Applicants must have had at least a full seven (7) years of experience as attorneys preparing for, participating in, and/or presiding over hearings or trials, involving (1) the Federal Government, or (2) the Federal Government, state or local government, or (3) private parties.

1. Administrative Law Experience

Participation in settlement, mediation, or arbitration for hearing, and/or trial initiated by a government agency, or in such cases, opinions in such cases, appeals therefrom. Cases under formal procedure of the Administrative Procedure Act, the Administrative Procedure Code, or the Administrative Procedure Code, as described in the announcement.

2. Litigation Experience

Participation in settlement, mediation, or arbitration for trial, and/or trial of cases, or in such cases, an indictment issued by a grand jury.

cases; or hearing such cases; or participation in appeals therefrom. Cases must have been conducted on-the-record under procedures at least as formal as those prescribed by the Administrative Procedure Act.

C. Level of Experience

To qualify at each grade level for an Administrative Law Judge position, applicants must have had either (1) one year of qualifying experience at a level of difficulty and responsibility characteristic of at least the grade level below that of the position applied for, or (2) two years of qualifying experience at a level of difficulty and responsibility characteristic of at least the grade level two grades below that of the position applied for.

IV. Examples of Experience

A. Qualifying Experience

The following types of experience will generally provide applicants with the knowledge, skills and abilities required of Administrative Law Judges, and meet the qualifying experience requirement defined in Part III, Paragraph B of this announcement above:

1. Judge, magistrate, master, or referee of a court of record;
2. Head (or one of the heads) of a governmental administrative body, responsible for (1) conducting or supervising the conduct of formal hearings, and (2) making decisions on the basis of the record of such hearings;
3. Responsible official in a governmental administrative body who is required to (a) review, analyze, evaluate, and recommend action to be taken by the head(s) of the body on case decisions or recommended case decisions made by hearing officers on the basis of the record of formal hearings; or (b) render responsible assistance to the head(s) of the body in the preparation for, or hearing of, cases coming for a formal hearing before the head(s) of the body, or in the preparation of decisions by the head(s) of the body on such cases;
4. Attorney in a governmental administrative body presiding over formal hearings and making or recommending decisions on the basis of the record of such hearings;
5. Private or government attorney (including military) in cases involving settlement in advance of, preparation for, presentation at, and/or review of, formal hearings conducted by governmental administrative bodies or court proceedings relating directly thereto;
6. Private or government attorney in cases involving settlement actions in advance of, preparation for and/or presentation at formal hearings or trials in court, or the preparation and presentation of appeals therefrom; or,
7. Supervisor of subordinates engaged in functions described in Categories 3 through 6 above.

In rare and unusual instances, in addition to the types of qualifying experience listed above, certain other legal experience may provide applicants with the knowledge, skills and abilities required of Administrative Law Judges. For example, experience as an attorney with formal

hearings or trials as a law clerk, adjudicator, arbitrator, mediator, or professor of law in courses such as evidence, procedure and administrative law, may provide applicants with such knowledge, skills and abilities.

B. Non-qualifying experience

There are other types of experience which do not provide applicants with the knowledge, skills and abilities required of Administrative Law Judges. Listed below are some types of positions in which hearings or trials are not formal and in which qualifying experience is not obtained:

1. Claims Reviewer.
2. Clerk of Court.
3. Conferee.
4. Contract Officer.
5. Insurance Adjuster.
6. Investigator, under any job title.
7. Moderator.
8. Officer of any Court not of record.
9. Rating Specialist.
10. State Unemployment Insurance Supervisor.
11. Hearing officer in informal hearings.

Also, experience with uncontested cases involving misdemeanors, probate, domestic relations, tort matters, and cases of a similar nature in which there is no formal hearing procedure does not provide applicants with the knowledge, skills and abilities which are essential for successful performance as Administrative Law Judges.

C. Service with the U.S. Armed Forces

For applicants entitled to veteran preference, time spent in the Armed Forces of the United States shall be considered as qualifying experience in either of the two following ways, depending upon which will be of more benefit to applicants:

1. Such service may be considered on the basis of actual duties performed by applicants in the military service, or
2. Such service may be considered on the basis of the positions which applicants were in while in military service. When applicants are considered on the basis of the positions they held, the positions they held must be positions which require the knowledge, skills and abilities which are essential for successful performance as Administrative Law Judges.

D. Part-time or full-time

Credit will be given for part-time or full-time occupation on the basis of the average number of hours per week. Applicants wishing to receive credit for part-time occupation must clearly the nature of their occupation and the average number of hours per week.

E. Special Qualifications for Filling Certain Positions

If applicants have qualifying formal hearing experience in the field of substantive law in which a particular Federal Government agency is involved, they should indicate such agency-specific experience in their application. Expertise in the laws an agency administers may be important in selection decisions by the hiring agency. For example, if applicants have experience in such areas as labor law, anti-trust, economic analysis or proof of medical evidence, they should so indicate. If applicants have supervisory or managerial experience, or are bilingual in Spanish and English, they should also so indicate. Where agencies can justify by job analysis that special qualifications enhance performance on the job, agencies may give priority consideration in filling vacant positions to applicants with special qualifications.

V. Quality of Experience

Applicants must describe achievements demonstrating that they possess five groups of essential knowledge, skills and abilities needed to settle disputes; conduct hearings in a dignified, orderly, and impartial manner; determine credibility of witnesses; sift and analyze evidence; apply agency and court decisions; prepare clear and concise statements of fact and law; draft orders; exercise sound judgment and make decisions. Applicants must conclusively demonstrate that they possess the judicial temperament and poise required for successful performance in a judicial position. Specifically, applicants must have had experience and achievements which demonstrate attainment of the following knowledge, skills, and abilities:

1. Knowledge of Rules of Evidence and Trial Procedures

Ability to apply both practical and theoretical knowledge of rules of evidence and trial procedures.

2. Analytical Ability

Ability to analyze and synthesize extensive testimony and evidence to identify relevant facts; ability to analyze evidence presented in cases to elicit and find facts, and to analyze and interpret laws and legal precedents to determine how they should be applied.

3. Decision-making Ability

Ability to independently make fair, impartial, unambiguous and prompt decisions on procedural and evidentiary questions and on policy and legal issues; ability to make rulings and decisions clearly and decisively.

4. Oral Communications Ability and Judicial Temperament

Ability to speak clearly, concisely, and understandably; listen attentively; and deal patiently, courteously, tactfully, firmly and impartially with competing parties when presiding at hearings, conferences, and meetings.

5. Writing Ability

Ability to write clearly, grammatically, concisely and convincingly, and to effectively persuade those affected by their decisions and those reviewing them.

VI. Submission of Examination Material

After reading this examination announcement and weighing qualifying experience under the prescribed standards, individuals who wish to apply for examination of their qualifications to become Administrative Law Judges must complete and submit to the Office of Administrative Law Judges the following information:

A. Statement of License to Practice Law

Applicants are required to provide a statement that they are duly licensed to practice law at the time of filing, and were so licensed for a period of at least seven years prior thereto, under the laws of a state, the District of Columbia, the Commonwealth of Puerto Rico, or any territorial court established under the Constitution. The date of admission to the bar in each jurisdiction should be included in the statement.

If during this seven-year period, applicants have been disciplined or cited for breach of ethics or unprofessional conduct by, or have been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group, applicants are required to give a full explanation. If applicants have not been the subject of such complaint, applicants should so state.

B. Standard Form 171: "Application for Federal Employment"

Applicants are required to submit a complete Standard Form 171, "Application for Federal Employment," in which all items of information requested therein are furnished. In the application, applicants must fully describe how their experience meets the qualifying experience requirements described in Part III, Paragraph B, of this announcement, above.

Only brief descriptions of non-qualifying experience need be furnished. However, all periods of employment shown by applicants as having afforded qualifying experience must be described specifically and in detail in order to convey a full and accurate understanding of the nature, variety, complexity, responsibility, and difficulty of such experience. For example, descriptions of experience such as "Private Practice of Law," "House Counsel for the XYZ Corporation," "Assistant Attorney General for the State of Illinois," or "Attorney at Law handling matters of extreme complexity involving difficult problems in many legal fields" are uninformative. In reviewing applications, periods of service which are so described will be disregarded on the assumption that the experience was not qualifying experience.

Applicants must clearly establish, in the aggregate, the full seven years of qualifying experience in preparing for, participating in, and/or reviewing formal hearings or trials involving administrative law and/or litigation at Federal, state or local levels. Therefore, in describing a period of employment consisting of a combination of qualifying and non-qualifying experience, it is essential to show by percentages how the time was divided between qualifying experience and non-qualifying types of experience. If this information is not furnished, no part of that period of employment will be credited as furnishing qualifying experience.

C. Case Listing Demonstrating Qualifying Administrative Law or Litigation Experience

The Office of Administrative Law Judges will not accept an unsubstantiated claim of any applicant that seven years of qualifying experience in preparing for, participating in, or reviewing formal hearings or trials involving administrative law and/or litigation at the Federal, state or local level has been obtained. In support of the claim, applicants must cite and discuss in chronological order in the case listing format provided inside the back cover of this announcement ten (10) of the most significant formal administrative law and/or litigation cases they have prepared, participated in, and/or reviewed. In rare and unusual cases where applicants worked on fewer than ten cases during their seven years of qualifying experience, they must thoroughly explain the cases they did work on.

The case listing format requires applicants to cite each case, give a capsule summary of the substance, describe their precise role, and provide the final disposition. In addition, the case listing format requires applicants to identify the party represented, the date(s) of the hearing or trial, and the names and addresses of the judge or hearing officer and other attorneys who can verify the applicants' participation in the case.

D. Brief, Memorandum or Decision Primarily Written by Applicant

To assist the Office of Administrative Law Judges in determining applicants' writing ability, applicants must also provide a copy of a brief, memorandum of law or decision, primarily written by them in one of the ten most significant cases cited in support of the case listing requirement described above. Applicants must submit with such brief, memorandum or decision a signed statement of the extent of personal involvement in and responsibility for preparation of the document.

E. OPM Form 1170/72: "Supplemental Qualifications Statement for Administrative Law Judge Positions"

Applicants are required to complete a supplemental qualifications statement which has been designed to assess the extent to which their qualifying experience has given them the knowledge, skills and abilities which have been found through job analysis among incumbent Administrative Law Judges to be essential for successful performance. In the supplemental statement, applicants are asked to describe their achievements in terms of the five statements of related knowledge, skills and abilities listed in Part V of this announcement. Applicants should describe the whole of their achievements and not just isolated examples.

For each achievement applicants claim, they must provide the name, address and telephone number of a person who is able to verify the achievement. Significant administrative law or litigation cases cited by applicants for the case listing requirement, in Paragraph C above, should be referenced wherever possible in the supplemental statement in support of claimed achievements. Where such cases are referenced in support of a particular claimed achievement, the judges or hearing officers and other attorneys participating in the case are already identified in the case listing and need not be identified again for verifying claimed achievements in the supplemental statement.

F. Standard Form 15: Application for 10-Point Veteran Preference

Applicants who wish to claim 10-point veteran preference in this examination must complete Standard Form 15, "Application for 10-point Veteran Preference".

G. Deficiencies, Omissions or False Statements in Submitting Examination Material

The Office of Administrative Law Judges will communicate no more than once with applicants regarding deficiencies or omissions in the information submitted. If applicants do not submit timely replies which cause their applications as amended to comply fully with all of the filing requirements set forth in this announcement, ineligible ratings will be assigned to their applications.

It is essential that information regarding the nature and quality of applicants' claimed experience and achievements be verified from informed and reliable sources before applicants are given a final score. This information is usually obtained from the applicants' employers or supervisors, from a partner in a firm, from one or more associates, or from one or more of the persons identified in the applicants' case listing. Therefore, it is essential that applicants provide, as requested, names, addresses and telephone numbers of persons having personal knowledge of their qualifications. As explained in Part VII below, applicants' present employers and other references will be sent personal reference inquiries only as part of the final rating process when applicants are being considered for appointment to anticipated vacancies.

A false answer to any question in the application or supplemental qualification statement may be grounds for denying eligibility, for removing applicants from registers of eligibles, for not employing applicants, or for dismissing applicants after they begin work, and may be punishable by fine or imprisonment (U.S. Code, title 18, Section 1001).

VII. The Rating Process

A. Basic Rating Process

All applicants will initiate basic rating, applicant interviews and supporting documents of this announcement supplemental qualifications.

1. Experience Requirements

A review will be made to determine whether or not the applicant meets the requirements set out in Part III, of this announcement.

A numerical score will be assigned to each applicant's examination. Applicants who are not selected for the examination will be so notified. Applicants who are selected for the examination will also be notified of the examination.

2. Supplemental Qualifications Statement and Basic Rating

A review will be made of the achievements applicants identify in the "Supplemental Qualifications Statement for Administrative Law Judge Positions" to determine the degree to which they possess the required knowledge of rules of evidence and trial procedures, analytical ability, decision-making ability, communications ability, judicial temperament, and writing ability. The required knowledge, skills and abilities are defined in Part V, of this announcement.

Based on a review of the supplemental qualifications statement, a basic rating will be assigned to applicants. Applicants who fail to earn a minimum score will be assigned ineligible ratings and will be so notified. Applicants who receive minimum scores or above will be assigned basic ratings and will be so notified.

Applicants assigned a basic rating will be asked to indicate their geographic availability for each grade level of Administrative Law Judge position. Applicants who would consider appointment only in certain locations will be asked to list acceptable locations. Applicants should understand that limiting their geographic availability to particular areas eliminates them from consideration for vacant positions in other areas.

Attainment of a basic rating in this examination is a substantial accomplishment. Applicants assigned a basic rating will be eligible to compete in the subsequent parts of the examination — the written demonstration, the panel interview and the personal reference inquiries.

B. Final Rating Process

As Administrative Law Judge vacancies are anticipated in various geographic areas, applicants with basic ratings who have indicated they are available in those areas will be invited, in rank order from the highest rating to the lowest, to participate in the final rating process — (1) a written demonstration, (2) a panel interview, and (3) personal reference inquiries. As many of the highest ranking applicants as are needed to meet anticipated agency hiring needs in various geographic areas will be invited to participate. The Office of Administrative Law Judges will invite to these latter parts of the examination as many applicants with a basic rating as could be reached on a given certificate of final eligibles, assuming such applicants might pass and earn the maximum possible score on such latter parts of the examination, including veteran preference, if applicable.

Applicants who are invited to participate in the final rating process may decline to proceed, once, without penalty. Applicants who thereafter decline to proceed with the final rating process, if the invitation accords with the geographic availability they have indicated, or who fail to reply to an inquiry as to their availability, will be removed from further consideration.

1. Written Demonstration

The written demonstration will require about six hours, including an hour for lunch. For applicants residing in the Washington D.C. area, the written demonstration will be administered in the central office of the Office of Personnel Management. For other applicants, the written demonstration will be administered at an Office of Personnel Management work-site located near their place of residence. Any travel expenses involved must be paid by applicants.

The purpose of the written demonstration is to test applicants' ability to prepare a clear, concise and well-reasoned decision of the type that they might be expected to write if employed as Administrative Law

Judges. The written demonstration is neither designed to test applicants' knowledge of the law, nor is it designed to elicit a particular "right" or "wrong" answer to the problem presented. Rather, it is designed to measure applicants' ability to analyze a statement of facts; apply statutes, regulations and policy as provided; and write a well-reasoned decision, analyzing all of the pertinent issues and addressing subsidiary questions.

Applicants will be given sufficient advance notice to insure that they will be able to arrange to take part in the written demonstration on the appointed day. When it can be arranged in advance with the office administering the examination, applicants will be permitted to bring a typewriter and type the written demonstration.

A numerical score will be assigned to applicants for this part of the examination. Applicants will be advised of their written demonstration score in a final rating, discussed below.

2. Panel Interview

The panel interview will last approximately one hour and will be conducted at the regional offices of the Office of Personnel Management, its central office in Washington, D. C., and its offices in Alaska, Hawaii, and Puerto Rico. The panel will consist of three persons specially designated by the Office of Personnel Management to evaluate each applicant's qualifications. The panel will be chaired by a representative of the Office of Personnel Management. A private attorney and an incumbent Administrative Law Judge will also serve on the panel. Panel members may not be personally acquainted with applicants being interviewed.

The purpose of the panel interview is to evaluate, by means of a panel of authorities in law and personnel selection, applicants' abilities (1) to deal with people, (2) to communicate orally, (3) to make decisions, and (4) to analyze and evaluate situations. The interview is not intended to evaluate applicants' technical or legal knowledge. Panel members will ask applicants hypothetical, job-related questions.

The panel interview will be held approximately two weeks after the date on which applicants participated on the written demonstration. Applicants who are scheduled for the panel interview will be required to travel at their own expense.

A numerical score will be assigned to applicants for this part of the examination. Applicants will be advised of their panel interview score in a final rating, discussed below.

3. Personal Reference

At the same time that the written demonstration is being administered, Administrative Law Judges will use their personal knowledge of applicants' qualifications to best describe the applicants.

Inquiries will be solicited from the officers before whom the applicants were employed or co-counsel in significant cases. Inquiries will be made of Administrative Law Judges who have handled cases involving the applicants.

A numerical score will be assigned to applicants for this part of the examination. Applicants will be advised of their personal reference score in a final rating, discussed below.

examination. Applicants will be advised of their reference inquiry score in a final rating, discussed below.

A final numerical rating will be assigned to applicants who have completed all parts of the examination. The rating will show applicants' eligibility or ineligibility and will be based on a careful evaluation of the information furnished by applicants and the ratings assigned for: (1) the basic rating, (2) the written demonstration, (3) the panel interview, and (4) the personal reference inquiries, with a maximum possible composite score of 100, excluding veteran preference. At this stage of the examination, applicants who are entitled to veteran preference will be assigned five or ten additional points in accord with the provisions of Section 3309, title 5, United States Code.

Once final numerical ratings have been assigned to applications, applicants will be notified of their final ratings.

C. Post-Rating Process

1. Security Investigation

Before applicants are placed on the register, they will be required to undergo a National Agency and Local Law Enforcement Investigation, in connection with which they may be required to submit additional information.

2. Placement on the Register

The names of applicants who are assigned final eligible ratings and who pass the security investigation will be placed on the register for referral by various geographic areas to agencies for filling vacant Administrative Law Judge positions as they occur.

3. Issuance of Certificates

As agencies request eligible applicants for appointment to vacant Administrative Law Judge positions in various geographic areas, names of eligible applicants on the register will be certified in rank order according to their final numerical rating.

In cases where agencies have requested that priority consideration be given for agency-specific experience or other special qualifications which job analysis has shown enhances job performance, applicants with such experience will be given priority consideration over applicants with the same numerical rating who do not have such experience.

The appointing agency will select for appointment to each vacancy from the highest three eligibles available for appointment on the certificate, taking into consideration veteran preference rules.

VIII. Maintaining Eligibility

A. Updating Applications

Applicants with either a basic or final eligible rating must bring their application up to date by filing Standard Form 172, "Supplemental Experience and Qualifications Statement," no earlier than 21 months and no later than 24 months from the date on which notified of basic or final eligibility. Thereafter, they are required to repeat this process

within 21 to 24 months from the date on which they last brought their application up to date. This requirement is designed to assure that the information in applicants' files is maintained on a current basis.

For the period of time covered by the "Standard Form 172," applicants must have continued to be duly licensed and authorized to practice law as attorneys under the laws of a state, the District of Columbia, the Commonwealth of Puerto Rico, or any territorial court established under the Constitution. If, during this period, applicants have been disciplined or cited for breach of ethics or unprofessional conduct by, or have been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group, applicants are required to give a full explanation. If applicants have not been subject to such complaints, applicants should so state.

Applicants who fail to bring their application up to date within the stated periods will be removed from consideration. In such cases, they may refile an application during periods of open competition as announced by the Office of Administrative Law Judges.

In addition, when bringing their application up to date, applicants should notify the Office of Administrative Law Judges of any changes in their previously indicated geographic availability.

B. Obtaining New Rating

Applicants who receive a basic rating or a final eligible rating under this announcement may file new applications (Standard Form 171) and supplemental qualifications statements (Standard Form 1170/72) and request new ratings during periods of open competition as announced by the Office of Administrative Law Judges, provided at least two years have elapsed since the date on which they had previously filed for this examination. Such applicants may refer to information provided in their previous applications, and they need not submit such information again. They must meet all examination requirements under this announcement.

C. Recompetition for Applicants Under Previous Examination Announcement

Applicants who received notices of eligibility prior to the issuance of this announcement may file new applications (Standard Form 171) and supplemental qualifications statements (Standard Form 1170/72) and request new ratings during periods of open competition as announced by the Office of Administrative Law Judges, provided at least two years have elapsed since the date on which they had previously filed for this examination. Such applicants may refer to information provided in their previous applications, and they need not submit such information again. They must meet all examination requirements under this announcement, and must obtain final eligible ratings, in order to be ranked on the register and certified to an employing agency for consideration for appointment to vacant Administrative Law Judge positions. However, like other applicants, they will be invited to participate in the written demonstration, panel interview and reference inquiries parts of the examination only to the extent employing agencies are anticipated to have actual vacancies.

If applicants who were on the register immediately prior to the date of this announcement do not reapply, their names will be maintained on the register in an unranked reserve category, so long as they continue to update their experience every 21 to 24 months in accordance with

paragraph A above. Applicants in this reserve category will be utilized as a resource for inviting new applications under the new examination. Applicants in this reserve category who are incumbent Administrative Law Judges retain their eligibility under existing regulations [5 C.F.R. 930.206(a)] for noncompetitive transfer to another agency with promotion to higher grade level Administrative Law Judge positions. Applicants in this reserve category who are former Administrative Law Judges retain their eligibility under existing regulations [5 C.F.R. 930.207(a)] for noncompetitive reinstatement to Administrative Law Judge positions. Persons with such noncompetitive transfer or reinstatement eligibility may apply directly to agencies which have vacant Administrative Law Judge positions. They do not have to be within reach on a certificate or register of eligibles in order to be appointed.

Applicants who filed applications prior to the issuance date of this announcement and received notices of cancellation or ineligibility may now refile under this revised announcement during periods of open competition as announced by the Office of Administrative Law Judges. The new application must conform with all of the requirements of this announcement.

D. Refiling After Receiving Ineligible Rating

Applicants who file under this announcement and who receive ineligible ratings may refile during periods of open competition as announced by the Office of Administrative Law Judges, provided at least one year has elapsed since the date on which they previously filed in this examination. New applications must conform to all of the requirements of this announcement.

IX. Appeal of Rating Decisions

A. Right of Appeal

Applicants who obtain ineligible ratings or who are dissatisfied with their final ratings may appeal the rating to the Administrative Law Judge Ratings Appeals Panel (Panel) within 30 days of the date of the final actions by the Office of Administrative Law Judges, or such later time as may be allowed by the Panel.

B. Address and Form of Appeal

Appeals should be addressed to the Administrative Law Judge Rating Appeals Panel, U.S. Office of Personnel Management, 1900 E Street, N.W., Washington, D. C. 20415. Appeals should contain a clear statement of the basis for appeal and a brief explanation of why the applicant believes the rating is in error.

C. Composition of the Panel

The Panel is chaired by the Assistant Director for Administrative Law Judges. The other two members of the Panel will be attorneys in private practice and/or Administrative Law Judges. The chairperson of the Panel will select names of attorneys in private practice and Administrative Law Judges for service on the Panel.

No member of the Panel may have participated in the assignment of the rating appealed from, or may be personally acquainted with the appellant.

D. Adjudication of the Appeal

The Panel will carefully review the written record compiled on applicants who appeal their ratings to determine whether their ratings have been assigned in accord with the requirements and procedures of the examination. The Panel has authority to affirm the rating, to remand the record for further development, or to assign a different rating.

Format for Listing Significant Administrative Law and Litigation Cases

1. TITLE OF CASE:
2. PARTY REPRESENTED:
3. REGULATORY BODY OR COURT HEARING THE CASE:
4. BRIEF STATEMENT OF ISSUE(S) INVOLVED:
5. YOUR PRECISE ROLE OR CAPACITY:
6. FINAL DISPOSITION OF CASE:
7. DATES BETWEEN WHICH YOUR PARTICIPATION TOOK PLACE:

FROM:

TO:

8. NAME, TELEPHONE NUMBER AND COMPLETE ADDRESS OF
 - a. PRESIDING OFFICER/JUDGE:
 - b. CO-COUNSEL
(IF ANY):
 - c. OPPOSING COUNSEL
(IF ANY):
 - d. SUPERVISING
COUNSEL (IF ANY):
 - e. COUNSEL APPEARING IN CASE (IF APPLICANT SERVED
IN A HEARING OFFICER/JUDICIAL POSITION):

(May Be Reproduced by Applicant)

List of Agencies Employing Administrative Law Judges

Department of Agriculture
Bureau of Alcohol, Tobacco, and Firearms, Department of
Treasury
Civil Aeronautics Board
U.S. Coast Guard, Department of Transportation
Department of Commerce
Commodity Futures Trading Commission
Drug Enforcement Administration, Department of Justice
Environmental Protection Agency
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Labor Relations Authority
Federal Maritime Commission
Federal Mine Safety and Health Review Commission
Federal Trade Commission
Food and Drug Administration, Department of Health and
Human Services
Department of Housing and Urban Development
Department of the Interior
International Trade Commission
Interstate Commerce Commission
Department of Labor
Merit Systems Protection Board
National Labor Relations Board
National Transportation Safety Board
Nuclear Regulatory Commission
Occupational Safety and Health Review Commission
U.S. Postal Service
Securities and Exchange Commission
Small Business Administration
Social Security Administration, Department of Health and
Human Services